UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

(Charlotte Division)

Civil Action No: 3:09-CV-00465

(Consolidated)

PROSPECT CAPITAL CORPORATION, Individually and derivatively on behalf of ESA ENVIRONMENTAL SPECIALISTS, INC..

Plaintiff,

v.

NATHAN M BENDER, et. al.,

Defendants

NOTICE OF APPEARANCE AND REQUEST FOR NOTICE

The undersigned attorneys hereby give notice of appearance in this action as counsel of record for Defendant, Sandra Dee Cole. PLEASE TAKE NOTICE that the undersigned counsel request that all notices, pleadings, and other papers filed and/or served in this case, be served on the undersigned attorneys at the address shown below:

> Richard S. Wright rwright@mwhattorneys.com David R. DiMatteo ddimatteo@mwhattorneys.com Moon Wright & Houston, PLLC 227 W. Trade Street, Suite 1800 Charlotte, NC 28202 Fax (704) 944-0380

Dated: Charlotte, North Carolina July 11, 2014

MOON WRIGHT & HOUSTON, PLLC

/s/ Richard S. Wright

Richard S. Wright (Bar No. 24622) David R. DiMatteo (Bar No. 35254) 227 West Trade Street, Suite 1800 Charlotte, North Carolina 28202 Telephone: (704) 944-6560

Attorneys for Sandra Dee Cole

CERTIFICATE OF SERVICE

I hereby certify that copies of the **NOTICE OF APPEARANCE AND REQUEST FOR NOTICE** were served by electronic notification on those parties registered with the United States

District Court, Western District of North Carolina ECF system to receive notices for this case on the date shown below.

Dated: Charlotte, North Carolina

July 11, 2014

MOON WRIGHT & HOUSTON, PLLC

/s/ Richard S. Wright

Richard S. Wright (Bar No. 24622) 227 West Trade Street, Suite 1800 Charlotte, North Carolina 28202 Telephone: (704) 944-6560

Attorney for Sandra Dee Cole

MWH: 10271.001; 00011014.1